

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

EVANTHONY R. NORMAN,

Plaintiff,

v.

CASE NO. 8:21-cv-2019-WFJ-CPT

AMERICAN INTERNATIONAL
REALTY and MEL JACOBSON,

Defendants.

ORDER

This cause comes before the Court on Plaintiff's application to proceed *in forma pauperis* (Dkt. 2) and the amended complaint (Dkt. 9). The magistrate judge issued a report recommending *in forma pauperis* status be denied without prejudice and the amended complaint be dismissed without prejudice to refiling. Dkt. 10. The time for filing objections has passed.

The Court reviews the legal conclusions *de novo* in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x 554, 556 (11th Cir. 2010) (citation omitted); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994). The magistrate judge, in a thorough analysis, found that although Plaintiff seems to qualify as indigent, the amended complaint (Dkt. 9) does not satisfy basic pleading requirements in both form and factual allegations. In addition to the pleading

deficiencies, the allegations fail to state a claim for discrimination under the FHA or FCRA, or for breach of contract. For the reasons explained in the Report and Recommendation, and in conjunction with an independent examination of the file, the Court concludes that the Report and Recommendation (Dkt. 10) should be adopted as part of this Order, confirmed, and approved in all respects.

Accordingly, the Court rules as follows:

1. The Report and Recommendation (Dkt. 10) is adopted, confirmed, and approved in all respects and made a part of this order.
2. Plaintiff's motion to proceed *in forma pauperis* (Dkt. 2) is denied without prejudice.
3. Plaintiff's amended complaint (Dkt. 9) is dismissed without prejudice. Plaintiff shall file a second amended complaint, if so desired, in accordance with the Report and Recommendation within thirty (30) days. If a second amended complaint is not timely filed, this matter will be closed without further notice.

DONE AND ORDERED in Tampa, Florida, on March 11, 2022.

s/William F. Jung
WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:
Plaintiff, *pro se*